IN RE: PETITION FOR ZONING VARIANCE c/l of Jonathan's Court (13208 Falls Road) 8th Election District

3rd Councilmanic District

Mary Kathleen Metz, et al

\* \* \* \* \* \* \* \* \* \* \*

\* DEPUTY ZONING COMMISSIONER

\* OF BALL MORE COUNTY

\* Case No. 90-237-A

The Petitioners here in request a variance to permit a side yard setback of 16 feet in lieu of the required 50 feet for a proposed addition

appeared and testified. There were no Protestants.

Falls Road, consists of 1.00 acre more or less zoned R.C. 5, and is improved with a single family dwelling which has been Petitioners' residence for the past year. Said dwelling is approximately 35 years of age and contains only one bedroom. Petitioners are desirous of expanding the subject dwelling; however, due to the location of the dwelling, septic system and well on the property and the narrow width of the lot, a variance is necessary in order to construct the addition. Petitioners testified they have spoken with their neighbor on the affected side of the variance who, by letter marked Petitioner's Exhibit 2, has indicated she has no objections to Petitioners' request. Testimony indicated that the granting of the variance will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Alay of December, 1989 that the Petition for Zoning Variance to permit a side yard setback of 16 feet in lieu of the required 50 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

> 1) The Petitioners may apply for the building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

December 27, 1989

Ms. Mary K. Metz Mr. Timothy M. Quinn 13208 Falls Road Hunt Valley, Maryland 21030

RE: PETITION FOR ZONING VARIANCE W/S Falls Road, 600' N of the c/l of Jonathan's Court (13208 Falls Road) 8th Election District - 3rd Councilmanic District Mary K. Metz, et al - Petitioners

Case No. 90-237-A Dear Ms. Metz and Mr. Quinn:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

a M No turasing ANN M. NASTAROWICZ Deputy Zoning Commissioner for Balimore County

Dennis F. Rasmussen

cc: Ms. Mildred L. Byers 13204 Falls Road, Cockeysville, Md.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Mrs. Mary K. Metz 13208 Falls Road Hunt Valley, MD 21030

> RE: Item No. 88, Case No. 90-237-A Petitioner: Mary K. Metz, et al Petition for Zoning Variance

December 7, 1989

Dear Mrs. Metz:

COUNTY OFFICE BLDG. 111 W. Chemapeake Ave. Towson, Haryland 2120

Ruscau of Engineering

Department of

State Roads Commission

Health Department

Project Planning

**Building Department** 

Board of Education

Industrial

Zoning Administration

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS. PLEASE CONTACT HER AT 887-3391.

> Very truly yours, JAMES E. DYER Zoning Plans Advisory Committee

Enclosures

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353



Your petition has been received and accepted for filing this 2nd day of October, 1989.

> J. ROBERT HAINE ZONING COMMISSIONER

Petitioner: Mary K. Metz, et al Petitioner's Attorney:

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1A.0.4.3.B.3 To allow a side yard setback of 16 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) The existing dwelling is a 1300 sq. ft., one bedroom home. We desperately need an additional bedroom and bath since we want to start a family. Since our one acre lot is only (approx.)(100 feet wide at the back of our home, it would be impossible under current zoning to build any

2. A driveway and water well precludes building in any other location.

additional sq. footage on any part of our lot.

3. We wish to upgrade and Improve in keeping with other residences in the area.

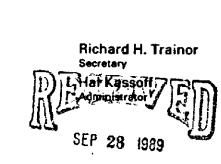
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BALTIMORE COUNTY, MARYLAND alties of perjury, that I/we 2D owner(s) of the property OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT 09-06-89 R-01-1.15-00 B . . B 135\*\*\*\*\*\*3520:a 2672F (301) 584-7854 VALIDATION OR SIGNATURE OF CALHIER Name, address and phone number of legal owner, contract purchaser or representative to be contacted TIMOTHY M. QUINN City and State 13208 Falls Rd., 21030 (Home) 584-7854 Attorney's Telephone No.:

By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_\_\_, 19\_0\_\_\_, that the subject matter of this petition be advertised, as required by the Zoming Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

Zoning Commissioner of Baltimore County ESTIMATED LENGTH OF HEARING -1/2022 AVAILABLE FOR HILLIAND MON. DEES. AVED. - KENT THO MORTHS

Maryland Department of Transportation State Highway Administration



September 26, 1989 ZONING OFFICE

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Att: James Dyer

Re: Paltimore County Metz and Quinn property Zoning meeting 9/15/89 W/S Falls Road MD 25 600% north of Jonathaus Court Item ≯88

Dear Mr. Haines:

After reviewing the submittal for a variance to allow a side yard setback of 16' in lieu of the required 50', we find the plan acceptable.

If you have any questions, contact Larry Brocato (333-1350). Very truly yours,

> Creston J. Mills, Jr. Chief Engineering Access Permits Division

LB/es

cc: Kathy Metz and Tim Quinn Mr. J. Ogle

> My telephone number is (301) 333-1350 Teletypeoriter for Impaired Hearing or Speech 383-7555 Baltimore Metro = 565-6451 D.C. Metro = 1-800-492-5062 Statewide Toll Free

Falls Road.

W/S Falls Road, 600' N of the

Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

as more particularly described in Petitioner's Exhibit 1.

The Petitioners, Mary Kathleen Metz and Timothy Michael Quinn,

Testimony indicated that the subject property known as 13208

ZONING DESCRIPTION: 13208 Falls Road, Hunt Valley, MD 21030 BEGINNING FOR THE SAME at a stone heretofore planted at the beginning

of the second or South 77 degrees EAst 30-56/100 perches line of that

parcel of land which by Deed, dated July 10, 1917 and recorded among the Land Records of Baltimore County in Liber WPC No. 482, Folio 454, etc., was conveyed by John T. Goodwin and Margaret Goodwin, his wife, to Joseph G. Young and Anna Young, his wife, running thence binding on said line South 73 degrees 22 minutes East 472-5/10 feet to the center of the Falls Road, running thence binding on the center thereoff North 8 degrees 32 minutes East 110 feet running thence for a line of division North 77 degrees 12 minutes West 456-6/10 feet to intersect the original outline of the land of which the herein described parcel is part running thence binding on the original outline aforesaid South 17 degrees 40 minutes West 78-3/10 feet to the place of beginning. Containing one (1) acre of land, more or less, as surveyed by William Whitney, April 9, 1974. The improvements thereon being known as: 13208

BFING the same parcel of ground which by Deed dated July 1, 1983 and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr., No. 6561, Folio 762, was granted and conveyed, in fee simple, by JOHN MICHAEL LYNCH, et al., to ROWLAND ASHMEAD MORROW, JR., and KATHERINE H. MORROW, his wife, The Grantors herein.

90-237-A

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines Zoning Commissioner

DATE: December 4, 1989

Pat Keller, Deputy Director Office of Planning and Zoning

Mary Kathleen Mc z, Item 88 SUBJECT: Zoning Petition (c. 90-237

The Petitioner requests a variance to allow a side yard setback of 16 ft. in lieu of the required 50 ft.

In reference to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

9/14/89 Date BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL ROTECTION AND RESOURCE MANAGEM Zoning Commissioner Office of Planning and Zoning County Office Building Zoning Item 188. Zoning Advisory Committee Meeting of August 19,1989

Property Owner: Mary Kathleen Metz + Timothy Michael Quinn

District: 8

Location: 13208 Falls Road Location: 13208 Falls Road

Water Supply: privata Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment rrior to approvat or a purious result for construction, resovation assign installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.

Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.

( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generation which has a total cooking surface area of five (5) square feet or more.

Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for

( ) Frior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, samas, whirlpools, hot tubs, water and severage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.

Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations For more complete information, contact the Division of Maternal and Child Health.

If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil mist be in accordance with the State Department of the Environment.

Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestoes, 887-3775. Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.

and Sewer to determine whether additional tests are required. Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore

County Standards must be drilled. In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

( ) shall be valid until

( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property

and approval of Building Permit Applications. Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental

Effects Report must be submitted. For more information contact the Division of Environmental Management In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the

subdivision process, please contact the Land Development Section at 887-2762. Others Petitioner should consider atternate udditional information, contact Mr. Gerard Zitnik. the Water + Sewer Division at 887-2762.

REAU OF WATER QUALITY AND RESOURCE

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554



September 12, 1989

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 83, 84, 85, 86, 88, 89, 90, 92, and 93.

Very truly yours,

SEP 1 9 1989

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

September 14, 1989

Zoning Agenda: AUGUST 19, 1989

Dennis F. Rasmussen

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

MARY KATHLEEN METZ AND TIMOTHY

Location:

RE: Property Owner:

Item No.:

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

MICHAEL QUINN

\$13208 FALLS TOAD

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Special Inspection Division

90-237-A CERTIFICATE OF POSTING

Date of Pesting Gremby 28, 1989

8 th. Mary K. mets and Timothy m. Quinn Location of property 1/5 Falls Road, 600 nof c/L of Jonathan a Court Location of Signer In front of 13208 Falls Road

CONING DEPARTMENT OF BALTIMORE COUNTY

\$ 95.29

## CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Averuse in Towson, Maryland 21204, as follows: TOWSON, MD., Posses 7, 1989 THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Petition for Zaning Variance
Case number: 90-237-A
WS Falls Roled, 600' N of of
Jonathan's Court
13208 Falls Paid
8th Election inct
3rd Councilmants Towson, Baltimore County, Md., once in each of \_\_\_\_\_\_ successive weeks, the first publication appearing on <u>Dec. 6</u>, 1989.

5. Zehe Orlan

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of\_ 

THE JEFFERSONIAN.

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

Mazy Kathleen Metz

NOTICE OF HEARING

Variance: to allow a side yard setback of 16 feet in lieu of the re-quired 50 feet. In the event that this Petition is

granted, a building permit may be issued within the thirty (30) day

appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the le-

suance of said permit during his period for good cause shown.
Such request must be in writing and received in this office by the date of the hearing set above or

presented at the hearing, 15 25

Zoning Commissioner of Baltimore County T/J/12/032 Dec. 7.

NOTICE OF HEARING

The Zoning Commissioner of Beltimore County, by suthority of the Zoning Act and Regulations of Baltinore County will hold a public hearing or, the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towaron, Maryland 21204 as follows:

Petition for Zoning Variance Case number: 90-237-A WS Falls Road, 600' N of cl of Jonathan's Court 13208 Falls Road 8th Election District 3rd Councilmanic Petitioner(s): Mary Kathleen Metz & Timothy Michael Quinn Hearing Date: Friday, Dec. 15, 1989 at 2:00 p.m.

Variance: to allow a side yard

quired 50 feet.

granted, a building perhit may be leaved within the thirty (30) day

appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the is-

suence of said permit during this period for good cause shown. Such request must be in writing at and received in this office by the date of the hearing set above or

J. ROBERT HAINES

J. ROBERT HAINES

DEC 1 2 1989

Timothy Richael Quinn 13208 Falls Road Hunt Valley, Meryland 21030 Dennis F. Rasmussen Petition for Zoning Verience

CASE NUMBER: 90-237-A W3 Falls Road, 800° N of c/l of Jonethen's Court 13208 Falls Road 8th Election District - 3rd Councilments Potitioner(s): Mary Kethleen Metz & Timothy Michael Quinn HEARINGS FRIDAY, DECEMBER 15, 1989 at 2000 pump

Please be advised that \$ 120,29 is due for advertising and posting of

the above captioned property.

**Baltimore County** 

FUBLIC HEARING FEES

LAST HANL OF OWNER: HETZ

PRICE

70 237

080 - POSTING SIGNS / ADVERTISING 1 X TOTAL: \$120.29

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204
(301) 887-3353 J. Robert Haines Zoning Commissioner

NOTICE OF HEARING



The Zoning Commissioner of Beltimore County, by au nority of the Zoning Act and Regulations The Zoning Commissioner of Beltimore County, by an nority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Anom 108 follows.

Patition for Zoning Variance CASE NUMBER: 90-237-A WS Falls Road, 800° N of c/1 of Jonathan's Court 13208 Fells Road

Sth Election District - 3rd Councilnamic Petitioner(s): Mary Kethleen Metz & Timothy Michael Quinn HEARINGS FRIDAY, DECEMBER 15, 1989 at 2:00 p.m.

Variances To allow a mide yard setback of 16 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request be in writing and received in this office by the date of the hearing set above or pre-

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above (If "PMASE II" of the "SMUM EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to

ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAN

December 13, 1989

Baltimore County Zoning Board Towson, Maryland 21204

To Whom It May Concern,

I am writing on behalf of my neighbors, Timothy Quinn and Kathie Metz, residing at 13208 Falls Road, Cockeysville Maryland 21030, in reference to them having applied for a building permit. I have no reservations or complaints in regard to this matter. I shall be happy to have them build an addition to their present home, as this will not interfer with my residence or property.

Sincerely,

mildred L. Brew Mildred L. Lyers 13204 Falls Road Cockeysville, Maryland 21930

TITIONER'S

XHIBIT 2

